

HONORABLE BARBARA J. ROTHSTEIN
Trial Date: 8/9/2021

UNITED STATES DISTRICT COURT
DISTRICT OF WASHINGTON
AT SEATTLE

SONIA JOSEPH, individually and as
Special Administrator of the ESTATE OF
GIOVONN JOSEPH-McDADE,

Plaintiffs,

v.

CITY OF KENT, a Washington
municipality; WILLIAM DAVIS; and
MATTHEW RAUSCH;

Defendants.

NO. 2:20-cv-00771-BJR

ORDER RE: CROSS-MOTIONS FOR
RECONSIDERATION

THIS MATTER having come before the Court by way of cross-motions for reconsideration (*Dkt. No. 64 & 66*) of the *Order Granting in Part and Denying in Part Motion for Summary Judgment (Dkt. No. 61)*, and the *Joint Statement Re: Cross-Motions for Reconsideration (Dkt. No. 69)*, it is hereby:

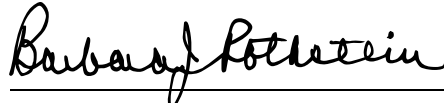
ORDERED that footnote 4 at page 6 of Dkt. No. 61 be amended to the following:

Plaintiffs voluntarily dismissed Giovanni McDade's claims as well as the claims against Defendants John Does 1-10. *See* Dkt. No. 51. It appears that Plaintiffs are no longer pursuing claims against the Kent Police Department, nor are Plaintiffs pursuing the Fourteenth Amendment or failure to intervene claims. *See* Dkt. No. 27 at n.88.

ORDERED the following claims be dismissed: Plaintiffs' claims (1) against the "Kent Police Department;" (2) for injunctive relief; (3) for Fourth Amendment violations only as asserted by Sonia Joseph and Giovanni McDade individually (reserving Plaintiff

1 Sonia Joseph's Fourth Amendment claim asserted in her representative capacity on behalf of
2 the Estate of Giovonn Joseph-McDade); and (4) for Fourteenth Amendment violations.

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4 Dated this 9th day of March 2021.

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7 Barbara Jacobs Rothstein
U.S. District Court Judge

8 Presented by:

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